



City of Santa Barbara

STAFF HEARING OFFICER

MINUTES

MAY 18, 2022

9:00 A.M.

David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

STAFF:

Ellen Kokinda, Staff Hearing Officer/Planning Analyst
Gillian Fennessy, Commission Secretary

CALL TO ORDER

Ms. Kokinda called the meeting to order at 9:01 a.m.

STAFF PRESENT

Ellen Kokinda, Staff Hearing Officer/Planning Analyst
Allison DeBusk, Senior Planner
Pilar Plummer, Assistant Planner
Gillian Fennessy, Commission Secretary

I. PRELIMINARY MATTERS

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
No requests.
- B. Announcements and appeals.
No announcements.
- C. Comments from members of the public pertaining to items not on this agenda.
No public comment.

II. PROJECTS

ACTUAL TIME: 9:02 A.M.

A. 1512 CASTILLO ST

Assessor's Parcel Number: 027-212-021
Zoning Designation: R-MH (Residential Multi-Unit and Hotel)
Application Number: PLN2019-00597
Applicant: Antonio Xiques
Owner: Judy Cota

The 8,276 square-foot site is currently developed with a 1,970-square-foot single-unit residence and 493-square-foot detached garage. The proposed project involves addressing violations outlined in ENF2017-00685, by legalizing the as-built conversion of the garage to an Accessory Dwelling Unit (ADU) and permitting an 89-square-foot bathroom, 217-square-foot loft, and 182-square-foot basement addition to that structure. Site improvements include removal of a 22-square-foot shed, permitting a 115-square-foot storage building at the rear of the property, and a Minor Zoning Exception request to allow the existing fence and gate to exceed 42-inches within the first ten feet of the front lot line.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. A Setback Modification to allow for increased height and volume in the required 4'-0" interior setback (SBMC §30.165.040.B.1 and SBMC §30.250.030.B).
2. A Floor Area Modification to allow the Accessory Dwelling Unit (ADU) to exceed the maximum unit size of 850 square feet for 1-bedroom or studio units on lots less than 15,000 square feet (SBMC §30.185.040.G and SBMC §30.250.030.B).

It has been determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (New Construction or Conversion of Small Structures, and Section 15305 (Minor Alterations and Land Use Limitations). Section 15303 allows for construction of one single-family residence or a second dwelling unit in a residential zone. Per the City's adopted CEQA Ordinance, Section 15305 allows for approval of zoning modifications.

Pilar Plummer, Assistant Planner, gave the Staff presentation and recommendation.

Antonio Xiques, Design Systems, gave the Applicant presentation and Judy Cota, Owner was available to answer questions.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Public comment opened at 9:13 a.m., and no public comment was submitted, it closed.

ACTION:**Assigned Resolution No. 014-22**

Approved the Setback Modification and the Floor Area Modification, making the findings as outlined in the Staff Report dated May 12, 2022.

Said approval is subject to the conditions as outlined in the Staff Report dated May 12, 2022.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

ACTUAL TIME: 9:18 A.M.**B. 8 OCEAN VIEW AVE**

Assessor's Parcel Number:	015-292-013 and 015-292-014
Zoning Designation:	R-2 (Two-Unit Residential)
Application Number:	PLN2021-00478
Applicant:	Keith Rivera
Owner:	Ross Vaisburd

The project consists of a voluntary lot merger of APNs 015-292-013 and 015-292-014 and demolition of all structures on those two lots, including a single family residence, detached garage, and two accessory buildings. One fruit tree and three palm trees are also proposed for removal. Proposed development includes one single family residence, two duplexes, and two detached Special Accessory Dwelling Units (ADUs), for a total of seven (7) units, five (5) of which are considered primary units and two (2) of which are accessory units. Eight (8) uncovered vehicle parking spaces (including one electric charging station) and six (6) covered parking spaces (including one electric charging station), seven (7) bike lockers, and a trash enclosure are also proposed. The proposed density, based only on the primary units, would be 11.19 dwellings/acre on this R 2/S-D-3 zoned lot that allows up to 12 dwellings/acre.

The discretionary application under the review of the Staff Hearing Officer required for this project is a Coastal Development Permit* (CDP2021-00022) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

NOTE*: This review concerns Coastal Development Permits (CDPs) for both the proposed primary unit development, and two detached Special Accessory Dwelling Units (ADUs); however, in accordance with state and local regulations, the primary units and associated development require a public hearing, and the ADUs do not. The Staff Hearing Officer will hold a public hearing for the primary unit development, and a decision will be made. Following that decision, an announcement of the decision regarding the ADUs will be made. The Staff Hearing Officer may receive and consider written comments from the public regarding the ADUs, but without a public hearing. The decision regarding the CDP for the primary units is appealable to the Planning Commission. The announced decision regarding the CDP for the ADUs is not appealable, and will be the final action of the City on the ADUs.

Allison DeBusk, Senior Planner gave the Staff presentation and recommendation.

Keith Rivera, Acme Architecture, gave the Applicant presentation.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Public comment opened at 9:25 a.m., and the following individual spoke:

1. Rodney Brown

Public comment closed at 9:27 a.m.

ACTION: **Assigned Resolution No. 015-22**
Approved the Coastal Development Permit (CDP) for the Primary Unit, making the findings as outlined in the Staff Report dated May 11, 2022.

Said approval is subject to the conditions as outlined in the Staff Report dated May 11, 2022.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

ACTION: **Assigned Resolution No. 015-22**
Approved the Coastal Development Permit (CDP) for the Accessory Dwelling Units (ADUs), making the findings as outlined in the Staff Report dated May 11, 2022.

Said approval is subject to the conditions as outlined in the Staff Report dated May 11, 2022, and as revised at the hearing. An additional condition was added at the hearing for oak tree protection to an existing tree, which includes a requirement for an Arborist Report prepared by a qualified arborist to be reviewed and approved by the Planning Division prior to building permit issuance. The recommendations in the report shall be followed for tree protection.

Pursuant to Santa Barbara Municipal Code §28.44.110, when a proposed development involves the addition of an Accessory Dwelling Unit to an existing single-family residence, the application shall be reviewed by the Staff Hearing Officer without a public hearing in accordance with subdivision (j) of Government Code Section 65852.2. The Staff Hearing Officer shall not issue a decision on the application until at least ten (10) calendars days after notice has been provided to the public. The Staff Hearing Officer may receive and consider written comments from the public, but without a public hearing. The announced decision will be the final action of the City.

III. ADJOURNMENT

Ms. Kokinda adjourned the meeting at 9:42 a.m.

Submitted by,

Gillian Fennessy

Gillian Fennessy, Commission Secretary